

# MANAGERS' GUIDE TO EMPLOYEE LEAVES

## UNDERSTANDING WORKPLACE LEAVES OF ABSENCE

If you have employees, your workplace will experience situations where employees request time away from work. New parents take time off to care for children, employees may need time off to recover from illness or injury, care for a family member, or attend a funeral, and sometimes employees request time off for an extended vacation. It is important to understand the law and be aware of the variety of leaves of absence available under the Employment Standards Act (ESA).

ESA Leave	Eligible	Length	Compensation
Pregnancy and Parental	Must be employed for at least 13 weeks prior to leave	17 weeks pregnancy 61 to 63 weeks parental leave	Unpaid EI Benefits
Personal Emergency	Must be employed for at least 1 week for 2 days paid leave	Up to 10 days per year	2 days Paid 8 days Unpaid
Family Medical	All workers	Up to 28 weeks / significant risk of death	Unpaid EI Compassionate Care Benefits
Family Caregiver	All workers	Up to 8 weeks / serious medical condition	Unpaid
Critically Illness	Must be employed for at least 6 months	Up to 37 weeks per year / extension possible / serious medical condition	Unpaid EI Benefits - Parents of critically ill children
Death or Disappearance of Child	Must be employed for at least 6 months	104 weeks for death of child / disappearance of child	Unpaid EI grants

Other leaves of absence covered by the ESA: Domestic or Sexual Violence, Organ Donation and Reservists.

## Employer Benefit Plans

As an employer, you may offer your employees additional benefits, paid or unpaid, beyond the minimum required under the ESA:

- sick leave,
- short term / long term disability insurance,
- bereavement leave,
- personal days and
- Sabbatical (or extended leave of absence).

## Managing an Employee Request for Leave



### Is the leave covered by the ESA or employer benefit plan?

Carefully review your employee's request to determine if it is covered by the ESA or your benefit plan. In some situations your employee may need to provide a medical note to support their request, to apply for insurance coverage or to apply for EI benefits.

### Consider the Request / Accommodation

Each request should be considered based on your employee's individual circumstances. Even where the leave is not covered, under the Human Rights Code you may have a duty to accommodate your employee. Refer to the Manager's Guide to Accommodation.

### Decision

Consider all options before making a final decision. Treat your employee fairly and respectfully at all times.

The information provided is an overview. Your situation is unique. Refer to the applicable legislation or contact Fusion Career Services for advice.